

Staff Report

Council Meeting Date: February 9, 2021

Subject: Harrah's Cherokee Center - Asheville - Window Replacement & Concrete Repairs

Staff Resource(s): Jade Dundas, Capital Projects Director

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a contract with WxProofing, LLC, in the amount of \$1,079,805 for the Harrah's Cherokee Center - Asheville - Window Replacement & Concrete Repairs project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of 10% (\$107,980.50).

Background:

- Original exterior envelope components of the 1972 Harrah's Cherokee Center - Asheville are in need of update and improvement.
- The concrete walls leak.
- Existing windows are single pane, difficult to maintain, and not energy efficient or code compliant.
- Exterior improvements will include replacement of the windows and concrete restoration.
- Bid Alternates 1, 2, and 6 Replace doors, install Fall Protection and provide Retrofit windows.
- A Request for Bids (RFP) was first advertised on November 19, 2020. Two Formal bids were received on January 7, 2021 and not opened because three bids are required to open on the first bid date.
- A RFP was re-advertised on January 13, 2021.
- Construction Schedule: March 1, 2021 - September 1, 2021.
- Five bids were received and formally opened on January 28, 2021.
- The resulting bids (including bid alternates 1, 2 & 6) are listed below:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
○ Midwest Maintenance, Inc.	Piqua, OH	\$ 1,021,381*
○ WxProofing, LLC	Greensboro, NC	\$ 1,079,805
○ Carolina Cornerstone Const., Inc.	Asheville, NC	\$ 1,238,070*
○ Strickland Waterproofing Co., Inc.	Charlotte, NC	\$ 1,311,150*
○ S & S Building & Dev., LLC	Greensboro, NC	\$ 1,439,560*

* The apparent low bidder, Midwest Maintenance, Inc., did not list the electrical contractor on the Bid Form as required by NCGS 143-128(d), and was deemed non-responsive. All other bids were deemed non-responsive for the same reason, except for WxProofing, LLC.

Vendor Outreach Efforts:

- Staff performed outreach to minority and women-owned businesses through solicitation processes which included posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Virtual Pre-Bid Meeting and Asheville Business Inclusion recordings were available on the City Purchasing website.
- Site Visits were held for contractors. Interested Contractor and subcontractor contact information was shared via an Addendum.
- One Historically Underutilized Business (HUB) business submitted a bid with the prime contractor, WxProofing, LLC.
- Frederico Jaramillo, Charlotte, a Latino-owned business will perform approximately 10% of the contract for concrete, coatings, and sealant repairs.

Council Goal(s):

- A Clean and Healthy Environment & A Financially Resilient City

Committee(s):

- None

Pro(s):

- The building walls and windows will be leak free. Windows will meet current energy code.
- Windows will be easier and safer to maintain.
- The building concrete will be cleaned and aesthetically improved.
- Construction between March - September 2021 will have lower impact on revenue than construction at another time because ticket sales for events are limited due to public gathering restrictions.

Con(s):

- Construction schedule may be impacted by material and labor slowdowns due to pandemic.

Fiscal Impact:

- Funding for this contract will come from previously approved budgets within the Harrah's Cherokee Center - Asheville Capital Improvement Program.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into a contract with WxProofing, LLC. in the amount of \$1,079,805, for the Harrah's Cherokee Center - Asheville - Window Replacement & Concrete Repairs project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the 10% contingency amount of \$107,980.50.

Attachment(s)

- Resolution

RESOLUTION NO. 21-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH WxPROOFING, LLC. FOR THE HARRAH'S CHEROKEE CENTER - ASHEVILLE - WINDOW REPLACEMENT & CONCRETE REPAIRS PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the Harrah's Cherokee Center - Asheville - Window Replacement & Concrete Repairs Project #C1901; and

WHEREAS, the WxProofing, LLC, of Greensboro, NC was the lowest responsible bidder for the project; and

WHEREAS, WxProofing, LLC shall provide all labor, materials, and equipment for the Window Replacement & Concrete Repairs; and

WHEREAS, the amount of the bid is \$1,079,805, and funding for the project is allocated within Harrah's Cherokee Center - Asheville funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute a contract with WxProofing, LLC. in the amount of \$1,079,805, for the Harrah's Cherokee Center - Asheville - Window Replacement & Concrete Repairs project; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$107,980.50 (10%).

Read, approved, and adopted this the 9th day of February 2021.

City Clerk

Mayor

Approved as to form:

City Attorney